

HOUSE COMMERCE COMMITTEE AMENDMENT #1

Amendment No. 1 to HB4028

**Hargrove
Signature of Sponsor**

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 3927

House Bill No. 4028*

by deleting all language following the enacting clause in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-102-143, is amended by deleting subsection (a) and subdivision (b)(1) in their entirety and by substituting instead the following new subsection (a) and subdivision (b)(1):

(a)

(1) The commissioner of commerce and insurance shall, in addition to the preceding provisions, appoint any person who meets the qualifications as enumerated in this section as a commissioned deputy electrical inspector in this division, who shall have all the powers of other deputies and assistants to enter any building or premises to make inspections of such buildings and their contents, and to report such inspections in writing to the commissioner. Such deputy inspector shall serve without compensation or salary from the commissioner as provided in §68-102-103 and shall not be deemed as an employee for payroll purposes or otherwise. The commissioner is directed to contract with each deputy electrical inspector for each inspector's services. Each such contract shall be for a minimum of three (3) years with two (2) options to renew the contract for one (1) additional year and, in order to provide for adequate availability of deputy electrical inspectors on a timely basis in all areas of the state, each such contract shall designate each inspector a specific geographical territory and shall use the existing territories for deputy electrical inspectors in effect as of June 30, 2006.

(2) Deputy electrical inspectors shall possess a high school diploma or GED certificate, practical experience consisting of at least five (5) years in electrical installation or inspection, and proof of passage of a nationally recognized certification examination prescribed by the commissioner in both electrical one- and two-family dwellings and electrical general; provided, however, deputy electrical inspectors under contract with the commissioner on June 30, 2006, shall be deemed to meet the qualification standards set forth herein.

(b)

(1) Deputy electrical inspectors appointed by the commissioner or by the state fire marshal, or by the city official designated by the state fire marshal to make the appointments in cities or municipalities authorized by the state fire marshal to conduct electrical inspections, are authorized to inspect electrical installations upon receipt of a request from the owner of the property, a licensed electrical contractor, or from any person, association, or corporation supplying electrical energy to the installations, or from municipal governing bodies, or from the county legislative body of the county in which the installations are located, and the inspectors for their compensation are authorized to charge for and receive a fee for each inspection. The deputy electrical inspectors appointed by the state fire marshal shall directly collect the fees authorized by this section from the owner of the property, a licensed electrical contractor, or from any person, association, or corporation supplying electrical energy to the installations. Deputy electrical inspectors may contract with an issuing agent or an association or corporation supplying electrical energy for purposes of accepting requests for inspections and for collecting fees authorized by this section. The deputy electrical inspector shall remit a portion of any fees collected each month to the state fire marshal's office

in an amount not to exceed fifteen percent (15%). The commissioner may promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, which the state fire marshal deems necessary to effectuate this section.

SECTION 2. Tennessee Code Annotated, Section 68-221-414(a), is amended by deleting the following language and punctuation: "official electrical inspector employed by or," and substituting instead the following language: "deputy electrical inspector."

SECTION 3. This act shall take effect on July 1, 2006, the public welfare requiring it.